



GAIL FARBER, Director

COUNTY OF LOS ANGELES DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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ALHAMBRA, CALIFORNIA 91802-1460

July 29, 2014

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

34 July 29, 2014

Sachi A. Hamai
SACHI A. HAMAI
EXECUTIVE OFFICER

**ORDINANCE AMENDING TITLE 2 - ADMINISTRATION OF THE COUNTY CODE
TO DELEGATE AUTHORITY TO THE DIRECTOR OF PUBLIC WORKS
TO EXECUTE AGREEMENTS FOR USE OF REAL PROPERTY;
RESOLUTION OF THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT
TO DELEGATE AUTHORITY TO THE CHIEF ENGINEER
TO EXECUTE AGREEMENTS FOR USE OF REAL PROPERTY
(ALL SUPERVISORIAL DISTRICTS)
(3 VOTES)**

SUBJECT

This action is to approve an Ordinance amending Section 2.18.015 of the Los Angeles County Code to delegate authority to the Director of Public Works or her designee to execute agreements for use of real property.

This action is also to adopt a resolution, on behalf of the Los Angeles County Flood Control District, delegating authority to the Director of Public Works, acting as the Chief Engineer of the Los Angeles County Flood Control District, or her designee to execute agreements for use of real property.

IT IS RECOMMENDED THAT THE BOARD:

Approve for introduction an Ordinance amending Section 2.18.015 of the Los Angeles County Code to delegate authority to the Director of Public Works or her designee to execute agreements for use of real property under her administrative control when the rent does not exceed \$5,000 per month; the term of the agreement is month to month not exceeding a maximum duration of ten years or is a nonrenewable fixed term not exceeding ten years; and establish a termination date for the delegation of authority to June 30, 2019.

IT IS RECOMMENDED THAT THE BOARD ACTING AS THE GOVERNING BODY OF THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT:

Adopt a resolution to delegate authority to the Director of Public Works, acting as the Chief Engineer of the Los Angeles County Flood Control District, or her designee to execute agreements for use of real property of the Los Angeles County Flood Control District when the rent does not exceed \$5,000 per month; the term of the agreement is month to month not exceeding a maximum duration of ten years or a nonrenewable fixed term not exceeding ten years; and the property is no longer required for the purposes of the Los Angeles County Flood Control District, or the proposed agreement will not interfere with the use of the property by the Los Angeles County Flood Control District.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of the recommended actions is to amend Section 2.08.015 of the Los Angeles County Code to delegate authority to the Director of Public Works or her designee to execute agreements for use of real property on behalf of the County of Los Angeles and other special districts for which the Board of Supervisors is the ex officio governing body, provided that the rent does not exceed \$5,000 per month and that the term of the agreement is month to month not exceeding a maximum duration of ten years or a nonrenewable fixed term not exceeding ten years.

The purpose of the recommended actions is also to adopt a resolution delegating authority to the Director of Public Works, acting as the Chief Engineer of the Los Angeles County Flood Control District (LACFCD), or her designee to execute agreements for the use of LACFCD property if the rental amount in the agreement does not exceed \$5,000 per month; the term of the agreement is month to month not exceeding a maximum duration of ten years or a nonrenewable fixed term not exceeding ten years; and the property is no longer required for the purposes of the LACFCD, or the proposed agreement will not interfere with the use of the property by the LACFCD.

This action will reduce the number of instances the Board will have to act regarding transactions involving the use of the property of the County or other special districts governed by the Board.

Implementation of Strategic Plan Goals

The Countywide Strategic Plan Goal directs the provision of Operational Effectiveness/Fiscal Sustainability (Goal 1). This action will enable the County, LACFCD, or other special districts to improve its effectiveness and enhance customer service when entering into certain agreements and will reduce the number of instances the Board will have to act regarding transactions involving the use of real property under its jurisdiction.

FISCAL IMPACT/FINANCING

There will be no impact to the County General Fund.

There will be some administrative cost savings attributable to the streamlined approval process.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

In 1995 the Board, pursuant to California Government Code Section 25537, adopted Ordinance 95-

0052, which delegated authority to the Director to execute leases and rental agreements not exceeding ten years on behalf of the County and the special districts for which the Board acts as the governing body when the rent does not exceed \$5,000 per month.

Additionally, the Los Angeles County Flood Control Act, Sections 3 and 16, authorizes the Board to adopt reasonable rules and regulations to facilitate the exercise of its powers and duties under the Act and to provide for the administration and government of the LACFCD.

The enclosed Ordinance and Resolution documents have been approved by County Counsel as to form.

ENVIRONMENTAL DOCUMENTATION

Adoption of the Ordinance and Resolution documents is not a project pursuant to the California Environmental Quality Act (CEQA) because it is an activity that is excluded from the definition of a project by Section 15378 (b) of the State CEQA Guidelines. This proposed action is an administrative activity of government that will not result in direct or indirect physical changes to the environment.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

Execution of agreements for use of real property will be expedited, minimizing delays in customers' projects.

CONCLUSION

Please return one adopted copy of this letter and the Resolution document to the Department of Public Works, Survey/Mapping & Property Management Division. Retain the duplicate for your files.

Respectfully submitted,



GAIL FARBER

Director

GF:SGS:tw

Enclosures

c: Auditor-Controller (Accounting Division - Asset Management)
Chief Executive Office (Rita Robinson)
County Counsel
Executive Office

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT DELEGATING AUTHORITY TO THE CHIEF ENGINEER TO EXECUTE AGREEMENTS FOR THE USE OF REAL PROPERTY OF THE DISTRICT

WHEREAS, Section 2, subsection 13, of the Los Angeles County Flood Control Act authorizes the Los Angeles County Flood Control District to lease any property of the District to any person or entity if the property is no longer required for purposes of the District or if the proposed lease will not interfere with the District's use of the property; and

WHEREAS, Sections 3 and 16 of the Los Angeles County Flood Control Act authorize the Board of Supervisors of the Los Angeles County Flood Control District to adopt reasonable rules and regulations to facilitate the exercise of its powers and duties and to make rules and regulations for the administration and government of said district, and to perform all other acts necessary or proper to accomplish the purposes of the act; and

WHEREAS, the delegation of authority to the Chief Engineer of the District to enter into leases for the use of District property under the limited circumstances described below, would enable many lease transactions to be completed more quickly and with less administrative costs to the District.

NOW, THEREFORE, THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES, ACTING AS THE GOVERNING BODY OF THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT, HEREBY RESOLVES AS FOLLOWS:

The Director of Public Works of the County of Los Angeles, acting as the Chief Engineer of the Los Angeles County Flood Control District, or the Director's designee, is authorized to negotiate and execute agreements for the use of real property of the District, or any interest therein, under the following circumstances:

- (1) The rental amount in the agreement does not exceed Five Thousand Dollars (\$5,000.00) per month; and
- (2) The term of the agreement is month to month not exceeding a maximum duration of ten (10) years or a nonrenewable fixed term not exceeding ten (10) years; and
- (3) The property is no longer required for the purposes of the District, or the proposed agreement will not interfere with the use of the property by the District.

The foregoing resolution was on the 29th day of July, 2014, adopted by the Board of Supervisors of the County of Los Angeles acting as the governing body of the Los Angeles County Flood Control District.



SACHI A. HAMAI
Executive Officer of the
Board of Supervisors of the
County of Los Angeles

By

A handwritten signature in blue ink, appearing to read "Sachi A. Hamai", written over a horizontal line.

Deputy

APPROVED AS TO FORM:

JOHN F. KRATTLI
County Counsel

By

A handwritten signature in blue ink, appearing to read "John F. Krattli", written over a horizontal line.

Deputy